

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
)	

**ORDER VACATING ORDER GRANTING RESCAP BORROWER CLAIMS
TRUST'S EIGHTY-SECOND OMNIBUS OBJECTION TO CLAIMS (NO LIABILITY
BORROWER CLAIMS) SOLELY AS IT RELATES TO THE CLAIMS FILED BY
PHILIP EMIABATA AND SYLVIA EMIABATA (CLAIM NOS. 3910 AND 4085)**

On January 29, 2015, the ResCap Borrower Claims Trust (the “Trust”) objected to Claim Nos. 3910 and 4085 (the “Claims”) filed by Philip Emiabata and Sylvia Emiabata (the “Emiabatas”) as part of the *ResCap Borrower Claims Trust’s Eighty-Second Omnibus Objection to Claims (No Liability Borrower Claims)* (the “Objection,” ECF Doc. # 8042).

The Emiabatas did not respond to the Objection and, on April 1, 2015, after the Emiabatas did not appear at the hearing on the Objection, the Court sustained the Trust’s Objection (the “Order,” ECF Doc. # 8400). Since entering the Order, however, it came to the Court’s attention that the Emiabatas were served with the Objection at the incorrect notice address. (See ECF Doc. # 8545.) Consequently, the Court **VACATES** the Order, solely as it relates to the Claims filed by the Emiabatas; however, the Trust may re-serve its Objection. The Court will then consider the Trust’s Objection at a later hearing, after it has been properly served on the Emiabatas and they have had an opportunity to respond.

Dated: May 4, 2015
New York, New York

/s/**Martin Glenn**
MARTIN GLENN
United States Bankruptcy Judge